

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

The Majestic Star Casino, LLC,)
)
Plaintiff,)
)
v.)
)
Trustmark Insurance Company, and)
RMTS, LLC,)
)
Defendants,)
)
v.)
)
The Majestic Star Casino, LLC,)
Barden Mississippi Gaming, LLC)
d/b/a Fitzgerald's Tunica ("BMG"))
Barden Colorado Gaming, LLC)
d/b/a Fitzgerald's Black Hawk; and)
Barden Nevada Gaming, LLC d/b/a)
Fitzgerald's Las Vegas,)
)
Counterclaim Defendant,)
Third-Party Defendants, and)
Counterclaim Plaintiffs.)

CASE NUMBER: 07 C 2474
Judge Gettleman
Magistrate Judge Valdez

**AGREED MOTION TO WITHDRAW
APPEARANCE OF MATTHEW W. GASAWAY**

Defendant, Trustmark Insurance Company, hereby moves to withdraw the appearance of Matthew W. Gasaway as counsel for Defendant, pursuant to Local Rule 83.17.

In support of this motion, Defendant states:

1. Matthew W. Gasaway has left the law firm of Chittenden, Murday & Novotny LLC, the firm representing Defendant Trustmark Insurance Company in this matter.
2. Responsibility for this case remains with other attorneys within the firm of Chittenden, Murday & Novotny, LLC. Specifically, William A. Chittenden III and Julie F. Wall

will remain as counsel for Defendant Trustmark Insurance Company. Moreover, Thomas Croft, of the law firm of King & Croft LLP, remains as counsel for Defendant Trustmark Insurance Company as well.

3. Plaintiff's counsel has advised that he has no objection to this motion

WHEREFORE, Defendant respectfully requests that the Court enter an Order permitting the withdrawal of the appearance of Matthew W. Gasaway as counsel for Defendant Trustmark Insurance Company in this matter.

Respectfully submitted,

/s/ Matthew W. Gasaway

*Attorney for Defendant and Counterclaim
Plaintiffs*

William A. Chittenden III
Julie F. Wall
Chittenden, Murday & Novotny LLC
303 West Madison Street, Suite 1400
Chicago, Illinois 60606
wchittenden@cmn-law.com
jwall@cmn-law.com

Thomas A. Croft
King & Croft LLP
707 The Candler Building
127 Peachtree Street NE
Atlanta, GA 30303-1800
tac@king-croft.com

O:\TR2042\40950 - Majestic\Pleadings\Motion to Withdraw MWG.doc